

AMENDED

NO. 65773

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC
WATERS OF THE STATE OF NEVADA

NEW PRIORITY DATE:

Date of filing in State Engineer's Office JAN 03 2000 ~~APR 30 2008~~

Returned to applicant for correction JAN 20 2000

Corrected application filed FEB 28 2000

Map filed NOV 20 1980 under 41820

The applicant **John R. Wellborn** application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

1. The source of the proposed appropriation is **underground**
2. The amount of water applied for is **1. CFS** second-feet
 - (a) If stored in reservoir give number of acre-feet
3. The water to be used for **mining, milling and domestic**
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated
 - (b) Stockwater, state number and kinds of animals to be watered
 - (c) Other use (describe fully under No. 12. "Remarks")
 - (d) Power:
 - (1) Horsepower developed
 - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point **in the NW¼ of the SW¼ of Sec. 23, T8S, R43E, MDB&M whence the south ¼ corner of Section 34, T8S R43E, MDB&M bear S. 16°39'40" W 13,452.64 distant. Use map on Permit #41820**
6. Place of Use **patented millsites #3502B and 3508B and the Bonnie Claire Placer. Also the oriental millsite. These are located in the S½ SW¼ NW¼; the N½ NW¼ SW¼; the SW¼ SE¼ NW¼; the NW¼ NE¼ SW¼ of Sec 23, T8S, R43E MDB&M.**
7. Use will begin about **January 1** and end about **December 31** of each year.
8. Description of proposed works **drill, case & equip. well for mining & milling**
9. Estimated cost of works **\$15,000**
10. Estimated time required to construct works **5 years**
11. Estimated time required to complete the application of water to beneficial use **5 years**

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12. Remarks: Use map on Permit #41820

By **John R. Wellborn**
s/John R. Wellborn
P.O. Box 208
Goldfield, NV, 89013

Compared cmf/gkl ds/cmf

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.0 cubic feet per second, but not to exceed 129.78 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

December 28, 2003

Proof of completion of work shall be filed before:

January 28, 2004

Water must be placed to beneficial use on or before:

December 28, 2006

Proof of the application of water to beneficial use shall be filed on or before:

January 28, 2007

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 28th day of, December A.D. 2001

Christine Thiel

By: Deputy State Engineer, Christine Thiel, P.E.

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____

APR 24 2008

~~CANCELLED BECAUSE OF
FAILURE OF APPLICANT TO COMPLY WITH THE
PROVISIONS OF PERMIT~~

~~Tony T. P.E. STATE ENGINEER
Car. Rescinded 12-10-2008~~